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LETTER DATED 3 NOVEMBER 1999 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a memorandum of the Government of the Federal Republic of Yugoslavia on the implementation of Security Council resolution 1244 (1999) (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Vladislav JOVANOVIC
Chargé d'affaires a.i.

99-33035 (E) 081199

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Annex

MEMORANDUM

OF THE GOVERNMENT OF THE FEDERAL REPUBLIC OF YUGOSLAVIA ON THE IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1244 (1999)

I AFFIRMATION OF THE SOVEREIGNTY AND TERRITORIAL INTEGRITY OF THE FEDERAL REPUBLIC OF YUGOSLAVIA

1. Security Council resolution 1244 (1999) and the Ahtisaari/Chernomyrdin document unequivocally reaffirm the sovereignty and territorial integrity of the Federal Republic of Yugoslavia in the southern Serbian Province of Kosovo and Metohija. These guarantees for the FR of Yugoslavia are final. Taking this as her starting point, the FR of Yugoslavia endorsed the deployment of the international security and civil presences in Kosovo and Metohija under the auspices of the UN and with a UN mandate.

The international security (KFOR) and civil (UNMIK) presences, under the aegis of the United Nations, were enabled by the Military-Technical Agreement and established with the consent of the FR of Yugoslavia and the Republic of Serbia so as to provide assistance in the interim period to the competent Yugoslav authorities in creating the necessary conditions for opening a political dialogue on substantial autonomy of Kosovo and Metohija, within the framework of the sovereignty and territorial integrity of the Republic of Serbia and the FR of Yugoslavia, and with full respect for the equality of all her citizens and ethnic communities living in the Province.

2. Peaceful political settlement: The FR of Yugoslavia has confirmed her commitment to a peaceful political settlement in the province of Kosovo and Metohija by accepting the Ahtisaari – Chernomyrdin document and by consistently implementing all its obligations from the provisions of Security Council resolution 1244 (1999) and the Military-Technical Agreement as can be seen from the Reports of the Secretary-General to the Security Council.

3. The responsibility of the Security Council: As the guarantor of Security Council resolution 1244 (1999) the Security Council undertook the obligation to secure the strict respect for all the provisions of the resolution and of the related documents, primarily those reaffirming the sovereignty and territorial integrity of the FR of Yugoslavia on its entire territory, as well as respect for the general standards in carrying out UN peace-keeping operations, in particular the general principles of the UN Charter, the international conventions on human rights, etc. The Security Council was also obligated to prevent any departure from, and postponement and arbitrary interpretation of, the provisions of Security Council resolution 1244 (1999) and of the related

documents. The Security Council is the only authorized body to render binding interpretations of its resolution.

The Government of the FR of Yugoslavia reiterates its request to the Security Council to establish a Committee on the implementation of Security Council resolution 1244 (1999).

4. The KFOR and UNMIK mandate: Security Council resolution 1244 (1999) clearly defines the framework of the international civil and security presences in Kosovo and Metohija which is an integral part of the single constitutional-legal, economic, financial-monetary, customs and taxation systems of the FR of Yugoslavia. In accordance with that, the FR of Yugoslavia, as the host country of the UN mission, proposed that all relevant issues of the status of the international security (KFOR) and civil (UNMIK) presences during their stay in the southern Serbian Province be regulated in a comprehensive agreement between UN and the FR of Yugoslavia. The FR of Yugoslavia reiterates that proposal also on this occasion.

The resolution clearly defines the responsibility of "the international security presence" in Kosovo and Metohija (op. paragraph 9), while the Secretary-General is authorized to establish an "international civil presence" in Kosovo and Metohija (op. paragraphs 10 and 11) and an "interim administration" in Kosovo and Metohija which should pave the way for a dialogue and a political settlement providing for a "substantial autonomy within the framework of the FR of Yugoslavia".

Op. paragraph 10 of the Resolution, as well as item 5 of its Annex II clearly define the limits of the "interim administration" of the United Nations in Kosovo and Metohija.

According to the international standards, local autonomy means that certain specific competencies and rights, such as the right to use a minority language, to education and information in the minority mother tongue and the protection and cherishing of minority culture and tradition, as well as local administration affairs are devolved to an autonomous area which is achieved within the framework of the broader constitutional-legal order of the sovereign state.

Consequently, the FR of Yugoslavia, i.e. the Republic of Serbia, retain their sovereign rights, constitutional functions and jurisdiction in Kosovo and Metohija. These, inter alia, include: the setting of uniform conditions of business operation, the state border crossing regime, a single market and the monetary-financial regime, the dinar as the single currency in a single country and market, personal documentation regime, the unified legal system and all legal proceedings (civil, penal, administrative), fulfilment of all international obligations that the FR of Yugoslavia has assumed and which are enforced throughout its territory as a single entity (instruments on the exercise of human rights, prohibition of discrimination, etc), etc.

5. Agreement and dialogue: The FR of Yugoslavia, as the host country to the international security and civil presences in Kosovo and Metohija, under the auspices of the United Nations, considers that, in order to ensure consistent and full implementation of Security Council resolution 1244 and, in particular, respect for the principle of territorial integrity and sovereignty, it is necessary to conclude a comprehensive agreement with the United Nations regulating the status of the international presence under the auspices of the United Nations and all other relevant issues. The Government of the FR of Yugoslavia reiterates this proposal and expects the Security Council to take a positive position.

II SYSTEMATIC VIOLATION OF THE SOVEREIGNTY AND TERRITORIAL INTEGRITY OF THE FEDERAL REPUBLIC OF YUGOSLAVIA

1. The sovereignty and territorial integrity of the FR of Yugoslavia are inviolable. All positions, behaviour and decisions of KFOR and UNMIK, including those of UNSG Special Representative and Head of UNMIK Bernard Kouchner, which do not recognize or violate the principle of the sovereignty and territorial integrity of the FR of Yugoslavia, as well as all measures or the failures to take them that are contrary to Security Council resolution 1244 (1999) or the Military-Technical Agreement of 9 June 1999 or represent an attempt to revise them, are unacceptable and cannot have any legal effect or be binding in any way on the FR of Yugoslavia and her authorities.

2. Status: Non-implementation and gross violations of Security Council resolution 1244 (1999) and the related documents by UNMIK and KFOR are the outright cause of the dramatic security and general situation in the Province characterized by the continuation of terrorism, mass-scale crime, violence and the ethnic cleansing of Serbs and other non-Albanians and lawlessness.

The violation of Security Council resolution 1244 (1999) and of the related documents or the non-implementation of the basic obligations from the said documents has, since the deployment of KFOR and UNMIK, resulted in the expulsion of more than 330 000 non-Albanians, primarily Serbs, Muslims, Roma, Turks, Goranci, Croats, Egyptians due to terror perpetrated by the members of the terrorist so-called Kosovo Liberation Army (KLA). UNMIK and KFOR have thereby violated one of the basic principles of Security Council resolution 1244 (1999) which calls for the maintenance of the multi-ethnic, multi-cultural and multi-confessional nature of Kosovo and Metohija.

3. The consequences: Chaos, perpetuation of terror, daily killings, kidnappings and the usurpation of private and state-owned property in the Province are not the consequence of the "objective difficulties" or of the impotence or an insufficient number of international troops in Kosovo and Metohija, but of the patronizing and tolerant attitude towards the terrorist of the so-called "KLA" and Albanian separatism which are the perpetrators of the ethnic cleansing of the non-Albanian population.

4. Security for Serbs is non-existent: KFOR and UNMIK have failed to fulfil their basic obligations to guarantee a secure environment, safety of citizens and their property and to maintain the public peace and order and legality which is an unconditional obligation set forth in op. paragraph 9 of Security Council resolution 1244 (1999). The consequences are: daily terror, killings, kidnappings, mass violations of basic human rights, violence throughout the Province, forcible occupations of houses and apartments, usurpation of personal, public and state-owned property, destruction of religious buildings and historical monument. All this proves unequivocally that the situation continues to deteriorate with far-reaching negative consequences for the entire region in its train. KFOR and UNMIK bear special responsibility for the non-existence of basic security of Serbs and non-Albanians in the Province.

The statements of UNMIK representatives to the effect that terror, violence and usurpation are decreasing and that the situation in the Province is improving are not true, hoodwink the Security Council and the international public and evince a patronizing attitude towards the terrorist so-called KLA. In the light of the ethnic cleansing of hundreds of thousands of Serbs, Muslims, Roma, Gorani and other non-Albanians, these statements and assessments are hypocritical.

5. UNSG Special Representative and Head of UNMIK: By his regulations, the Special Representative has consciously and deliberately violated the mandate established under Security Council resolution 1244 (1999) and the related documents, in particular the principle of the territorial integrity and sovereignty of the FR of Yugoslavia and appeased Great Albanian separatism and terrorism. Thus, he has ignored the fact that Kosovo and Metohija is an autonomous province – an integral part of a single constitutional-legal, economic, financial-monetary, fiscal, foreign exchange, customs and transport system of the Republic of Serbia and the FR of Yugoslavia.

In accordance with the obligation to respect the sovereignty and territorial integrity of the FR of Yugoslavia in Kosovo and Metohija, the Special Representative is duty-bound to respect the federal Constitution and other federal legislation, as well as the Constitution of the Republic of Serbia, republic laws and other regulations. The Government of the FR of Yugoslavia insists that this be fully honoured in practice.

Nevertheless, in his regulation No. 1999/1 of 25 July 1999, the Special Representative claims that all legislative and executive powers, including the administration of justice in Kosovo and Metohija, have been vested in UNMIK and are to be exercised by the Special Representative. Thereby, the Special Representative has proclaimed himself absolute authority and Governor of Kosovo and Metohija.

The Security Council did not grant, not could it grant under the Charter of the United Nations, all the power to the Special Representative, but authorized the UN Secretary General to establish an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy op. para. 10 of Security Council resolution 1244 (1999).

The powers of the UN interim administration for Kosovo and Metohija are limited to substantial autonomy.

The international civil presence is limited to performing basic civilian administrative functions. Once the interim institutions for democratic and autonomous self-governance have been established, the international civil presence will transfer its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institution and other peace-building activities.

Hence, the Security Council has envisaged the peformance of basic civil administrative duties and not legislative or judicial authority.

6. The UNSG Special Representative has usurped more power than he was given under Security Council resolution 1244 (1999). For that reason, his decisions contravene the letter and the spirit of Security Council resolution 1244 (1999) and the related documents, i.e. the substantial prerogatives of the sovereignty of a state and as such they cannot have any legal effect.

Consequently,

1) Regulation No. 1999/1 of 25 July 1999 on the authority of the interim administration in Kosovo does not have any legal basis and represents an illegal absolutist usurpation of authority.

2) Regulation No. 1999/3 of 31 August 1999 is not based on the resolution. Collection of customs duties does not fall within the powers of a local autonomous authority neither under the laws of the FR of Yugoslavia nor under international conventions and standards. It is the exclusive responsibility of the central authority, i.e. the sovereign state.

3) The monetary function is also a function of a sovereign state. There is no country in the world where this function is exercised by local, autonomous au .orities. For that reason, regulation No. 1999/4 of 2 September 1999 has no grounds in Security Council resolution 1244 (1999).

4) Regulation 1999/5 of 4 September 1999 about an ad hoc final court of appeals is not based on Security Council resolution 1244 (1999) either. The Special Representative does not have the mandate to regulate administration of justice and introduce a new judicial system in the Province, a part of the sovereign territory of the FR of Yugoslavia. In addition, local self-governance cannot limit the reach of judicial authority of the state whose integral part it forms. Likewise, UNMIK and KFOR, as well as the Special Representative, are obligated in the Province to respect the organization of judicial authority and enforce the laws of the Republic of Serbia and the FR of Yugoslavia.

5) Regulation No. 1999/10 of 13 October 1999 on the repeal of the alleged discriminatory laws is groundless and, as such, it is unlawful. Security Council resolution 1244 (1999) does not give the Special Representative any legislative and judicial powers, particularly not in regard to the control of the Yugoslav or republic laws.

6) Regulations Nos. 1999/6 of 7 September 1999 and 1999/7 of 7 September 1999 on the administration of justice and the Prosecutor's Office are not based on Security Council resolution 1244 (1999).

7) Regulation No. 1999/9 of 24 September 1999 on the importation of oil derivatives is not based on Security Council resolution 1244 (1999). Foreign trade relations, the import policy and property regime are prerogatives of sovereignty and fall within the purview of the central state authority rather than that of local autonomy.

8) The supervision of payments offices and services, as well as postal and telecommunications service, granting of permits for establishing financial institutions, as well as registration of vehicles are matters that are regulated in a uniform manner for the entire territory of the FR of Yugoslavia. It is inconceivable to establish, for certain parts of the state, separate organizations at the level of local self-government that will perform these matters. For that reason, regulations Nos. 1999/11 of 13 October 1999; 1999/12 of 14 October 1999; 1999/13 of 16 October 1999; and 1999/15 of 21 October 1999 have no grounds in Security Council resolution 1244 (1999) and represent a drastic example of an attempt to separate Kosovo and Metohija from the Republic of Serbia and the FR of Yugoslavia and to sever its ties with the Republic of Serbia and the FR of Yugoslavia.

9) The regulation of international air traffic is an exclusive responsibility of the sovereign state. Therefore, the establishment of international air traffic services between Pristina and certain international centres, without the consent of the competent state authorities of the FR of Yugoslavia, represents a violation of the unity of the Yugoslav air space, international conventions and Yugoslav laws and is absolutely unacceptable. The fact that air traffic has been established by the arbitrary decision of UNMIK even between the Province and the states with which the FR of Yugoslavia has no diplomatic relations is unprecedented, while at the same time the request of the competent authorities of the FR of Yugoslavia to normalize domestic civil air traffic with the Province is ignored.

The Government of the FR of Yugoslavia recalls that it has, in connection with all the said unlawful regulations of the Special Representative, addressed most resolute protests to the President of the Security Council and to KFOR and UNMIK and insisted that these unlawful regulations be repealed immediately on which it insists also on this occasion.

7) The UNSG Special Representative has not implemented or has violated other strict obligations under Security Council resolution 1244 (1999) as well.

1) Maintenance of civil law and order and the protection of human rights: The security situation in the Province indicates that the Special Representative is pursuing a policy of appeasing Albanian terrorists and criminals, which has resulted, since the deployment of UNMIK and KFOR, in the transformation of the Province into a centre of terrorism, organized crime, illegal arms trade, narcotics trafficking and smuggling of white slaves, as well as in daily robberies and killings, maltreatment, blackmail and violence, aimed at Serbs, Muslims, Roma, Turks, Gorani, Croats, Egyptian and other non-Albanians. Instead of working to restore civil law and order and protect basic human rights, in particular the right to life, the United Nations mission has failed to take necessary measures even against the well-known organizers and perpetrators of the gravest crimes against Serbs and other non-Albanians, including genocide.

2) On the other hand, arbitrary arrests of Serbs, the detentions over periods of more than two months without bringing any charges against them and without granting them the right to hire an attorney of their own choice take place every day. UNMIK imposes attorneys of Albanian nationality whom Serbs do not trust. This represents an additional violation of the basic human rights of arbitrarily arrested persons. The Security Council and UNHCHR are duty-bound to see to it that this practice be stopped immediately.

3) The Special Representative has failed to take measures to secure the state border of the FR of Yugoslavia with the Republic of Albania and to enable the competent Yugoslav authorities to carry out the usual control in accordance with international standards, Security Council resolution 1244 (1999) and the Military-Technical Agreement. Thereby over 200,000 non-citizens of the FR of Yugoslavia, mainly nationals of the Republic of Albania, have entered the territory of the FR of Yugoslavia illegally, among them a large number of criminals, terrorists and bandits, including persons after whom international wanted circulars have been issued.

The Yugoslav Government requested the Security Council, Secretary-General and the Special Representative on a number of occasion that all foreign nationals, illegally residing in the territory of the FR of Yugoslavia be expelled. Unfortunately, it received no answer to those requests nor was it acted upon them.

The Government of the FR of Yugoslavia insists that all foreigners be expelled from Kosovo and Metohija as part of her sovereign territory and that the border with Albania and Macedonia be closed to illegal entries.

4) The Special Representative has failed to fulfil the obligations under Annex 2 of Security Council resolution 1244 (1999), paragraph 6, which stipulates that, upon the pullout of the Yugoslav security forces, an agreed number of VJ (Yugoslav Army) and police personnel will be allowed to return in order to perform specified duties. Despite the official, several times reiterated, request that the Government of the FR of Yugoslavia addressed to the Security Council and the Secretary-General, as well as to KFOR and UNMIK, this obligation has not yet been fulfilled.

The Government of the FR of Yugoslavia calls upon the Security Council to enjoin the implementation of this provision of Security Council resolution 1244 (1999), the Ahtisaari/Chernomyrdin document and the Military-Technical Agreement.

5) The establishment of local authorities and the elections: The UNMIK position proclaiming arbitrarily the Serbs a minority in their own state is unacceptable.

The resolution does not give the Special Representative the competence to arbitrarily designate the "legitimate" representatives of the Serbs, individuals and political parties. This represents a flagrant violation of the democratic will of the Serbian people in Kosovo and Metohija. The imposition of the "Transitional Council" represents an act of arbitrariness, designed to provoke divisions within the Serbian people and to ease the position of Albanian terrorists and separatists.

The Serbs and other national communities can be represented only by those representatives democratically elected by the Serbian population, i.e. other national communities, on the basis of their freely expressed will.

The fulfilment of the obligation set out in op. paragraph 11 item c) and f) of Security Council resolution 1244 (1999) presupposes:

Firstly, a political dialogue in order to reach a political democratic settlement on autonomy and self-governance, on the basis of equality of citizens and national communities and respect for the sovereignty and territorial integrity of the FR of Yugoslavia and the Republic of Serbia. In this dialogue only the legitimate representatives of the Serbian and Montenegrin peoples and members of national minorities or ethnic groups living in Kosovo and Metohija may take part.

Secondly, an early population census in accordance with the legislation in force in the FR of Yugoslavia and the Republic of Serbia once all the necessary, particularly security, conditions have been created. This is *a conditio sine qua non* for the organization and holding of just and fair elections in accordance with the laws in force of the Republic of Serbia and the FR of Yugoslavia.

6) The border regime and the treatment of foreign nationals: usurpation of the powers of the legal border authorities of the FR of Yugoslavia in the field of securing the state border and border crossing points by KFOR and UNMIK represents a gross violation of op. paragraph 4 of Security Council resolution 1244 and of item 2 of Annex II.

The Government of FR Yugoslavia insists that the provisions of the relevant resolution be implemented without any further delay (op. paragraph 4 and Annex II, item 6) which envisage the return of VJ troops and the police to border crossing points with a view to ensuring strict control and preventing banditry and crime, including international narcotics trafficking (narcomafia), illicit trade in arms, white slaves, money laundering etc.

Proceeding from the provisions of the resolution guaranteeing the sovereignty of the FR of Yugoslavia, KFOR was obligated to ensure full security control of the international border between FR Yugoslavia and Albania and Macedonia (op. paragraph 9, item g) of the resolution), ensure the normal and efficient functioning of the Yugoslav customs, passport-visa service and immigration, anti-criminal, sanitary, phyto-sanitary, veterinary and other controls, as well as give security guarantees to Yugoslav competent customs officials, including safety at work at border crossing points and customs houses and their safe arrival to, and departure from, work.

By failing to carry out their obligations and by their tolerant attitude, KFOR and UNMIK have become responsible for a massive, illegal and uncontrolled entry of foreigners, terrorists and criminals, including Mujahedeen terrorists, into the territory of the FR of Yugoslavia.

In addition, by its regulation 999/3 of 1 September 1999, UNMIK has established, without any authorization, a separate customs service, thus flagrantly violating the clear provisions of Security Council resolution 1244 (1999) on the sovereignty and territorial integrity of the FR of Yugoslavia. The Government of the FR of Yugoslavia recalls the request that in this connection the Permanent Mission of the FR of Yugoslavia to the United Nations addressed to the President of the Security Council on 3 September 1999.

By such behaviour and the policy of fait accompli, KFOR and UNMIK are instrumental in directing the developments in the direction of the realization of the plan of Albanian separatists and terrorists about Greater Albania. This is the cause and source of the threat to peace and stability in the broader region of the Balkans and Southeast Europe.

The Government of the FR of Yugoslavia reiterates its request that the Security Council, pursuant to the provisions of Security Council resolution 1244 (1999), take the most vigorous measures to have UNMIK and KFOR honour their mandates and put an end to the hopes and ambitions of separatists and terrorists aimed at changing the borders in the region and its further destabilization.

The FR of Yugoslavia rejects resolutely and condemns most strongly all steps, decisions and behaviour along the line of support to separatism and terrorism and the policy of fait accompli pursued by UNMIK and the Special Representative and considers them as a callous and dangerous deception of the Security Council and the international public.

7) The personal documents regime: The issues of citizenship and domicile represent one of the most important attributes of sovereignty and an element for the exercise of human rights and fundamental freedoms and their protection and respect, including election rights. A uniform regime of issuance of personal documents which is in force in the entire territory of the FR or Yugoslavia is applied in Kosovo and Metohija as a sovereign part of the unified territory of the FR of Yugoslavia and the Republic of Serbia.

Therefore, UNMIK's intent to register citizens and issue personal documents directly contravenes the provisions of Security Council resolution 1244 (1999) and the related documents re-affirming the sovereignty and territorial integrity of the FR of Yugoslavia on her entire territory, including the Province of Kosovo and Metohija. In accordance with that, the decisions by UNMIK in contravention of this provision cannot have any legal effect and will not be recognized by the Government of the FR of Yugoslavia.

Proceeding from the clear provisions of the resolution, the Government of the FR of Yugoslavia demands that the valid laws of the FR of Yugoslavia governing the visa issuance regime and personal documents of citizens (ID cards, passports, etc.), as well as registration of citizens be observed and fully enforced.

8) Visits by foreign officials: It has become an established pattern of behavior for foreign officials during their visits to Kosovo and Metohija to disregard the regular procedure envisaged under the Vienna Convention on Diplomatic Relations, as well as the visa regime in force, thus violating the provisions of the resolution and its Annex II, items 5 and 8.

The practice of setting up para-diplomatic representative offices by certain states in the Province is particularly unacceptable and it represents a glaring example of a gross violation of the Vienna Conventions, Security Council resolution 1244 (1999) and international diplomatic practice.

The Government of the FR of Yugoslavia demands that, regardless of the purpose and the nature of the visits, the regular procedure of arranging visits through diplomatic channels be followed consistently. When establishing representative offices, international organizations or foreign countries are duty-bound to comply with the relevant provisions of the Vienna Conventions.

The Government of the FR of Yugoslavia re-emphasizes that it has not transferred to anyone its sovereign rights regarding decision-making on visits by foreign statesmen to any part of its sovereign territory. It expects the Security Council and the Secretary-General to take all the necessary measures to ensure that the sovereign rights of the FR of Yugoslavia be recognized in equal measure as those of other sovereign UN member states and that, accordingly, the policy of double standards be discontinued immediately.

Likewise, the Government of the FR of Yugoslavia considers the establishment of para-diplomatic representative offices by foreign states in Kosovo and Metohija as unacceptable acts designed to dismember the FR of Yugoslavia and as a sign of appeasing the separatist aspirations of the Kosovo and Metohija terrorist leaders and parties. .

9) Construction of a U.S. military base: The members of the U.S. contingent of KFOR are building a big military base with an airport in the vicinity of Uroševac, as well

as bases in Podujevo and Pec without any approval from the competent Yugoslav authorities. This act represents the most flagrant example of the violation of the sovereignty and territorial integrity of the FR of Yugoslavia. At the same time, such behavior of the participants in the UN peace-keeping mission is absolutely incompatible with the principles on the establishment and operation of UN peace-keeping missions.

III SYSTEMATIC VIOLATION OF SECURITY COUNCIL RESOLUTION 1244 (1999) AND OF THE MILITARY-TECHNICAL AGREEMENT

1) Security and protection of citizens; Since the withdrawal of the Yugoslav forces, it has been KFOR's and UNMIK's primary obligation pursuant to Security Council resolution 1244 (1999) (op. paragraph 9, items c) and d) and to the Military-Technical Agreement (items 1 and 2) to ensure the security and protection of all people, maintain civil law and order and establish and maintain a security environment in the Province. However, despite this clear obligation assigned to KFOR and UNMIK and the expected improvement of the security situation for all the people of the Province, the conditions are dramatically worsening by the day.

2) The return of refugees and internally displaced persons (IDPs): One of KFOR's and UNMIK's priority tasks under Security Council resolution 1244 (1999), op. paragraph 9, c) and op. paragraph 11, k), as well as of Annex II, items 4 and 7 is to establish a security environment and ensure the safe and unhindered return of all refugees and IDPs to their homes. With respect to the non-Albanian population in the Province, in particular Serbs and Montenegrins, not only have KFOR and UNMIK failed to fulfil their obligations, but have, regrettably, by their impermissibly patronizing attitude to Albanian terrorists of the so-called KLA and other criminal gangs, become directly responsible for their massive expulsion.

The Government of the FR of Yugoslavia insists that KFOR and UNMIK fulfil without delay all their obligations and create as soon as possible the conditions for the safe return of all persons expelled from Kosovo and Metohija.

3) Disarming of the so-called KLA: Not only has the obligation set forth in op. paragraph 9 b) and op. paragraph 15 of the resolution on demilitarization and disarming of the so-called KLA and all other armed Albanian groups not been fulfilled, but this imperative obligation has, owing to KFOR's and UNMIK's patronizing attitude towards the so-called KLA, been in different ways sabotaged and manipulated.

The decision by UNMIK on the so-called transformation of the terrorist KLA into an allegedly civilian organization – the Kosovo Protection Corps - is particularly unacceptable and groundless. It is not based on any provision of Security Council resolution 1244 (1999) or the related documents.

Daily terror, violence, killings and the devastation of Serbian houses and settlements, even with the use of heavy weapons, including considerable quantities of Ambrust and Stinger missiles, as well as other weapons for the arsenal of NATO, clearly indicate that the terrorists of the so-called KLA have hidden huge quantities of arms. This is also attested to by the latest report by Amnesty International on the FR of Yugoslavia of October 1999 ("A Broken Circle") which clearly states that, despite the fact that the so-called KLA formally ceased to exist, " ... large quantities of armaments, including automatic weapons, mines and anti-tank armaments, have remained in private hands or under the control of small groups". It is also clearly said that the newly-formed Kosovo Protection Corps "is dominated by the former leaders and members of the KLA" who have "retained prominent and influential positions in the society of Kosovar Albanians".

KFOR and UNMIK are to be held fully responsible for the fact that the so-called KLA has not yet been disarmed, that they held secret negotiations, without the participation or information of the competent authorities of the FR of Yugoslavia, with the Albanian separatist leaders, the avowed terrorists. The signing of the disgraceful "agreement on the transformation" of the terrorist so-called "KLA" with their commander-in-chief Agim Cheku, in contravention of Security Council resolution 1244 (1999), for which no approval was requested from, no have prior notification been made to, the members of the Security Council, the Legal Service of the UN Secretariat or anyone else in the UN, is an unscrupulous act without precedent in the Security Council's work methodology and cannot be justified by anything. The evident intention of KFOR and UNMIK was to hide this flagrant violation of Security Council resolution 1244 (1999) and of the related documents, as they had been fully aware that they could not obtain the consent of the Security Council.

It is inadmissible that the international forces under the auspices of the UN co-operate in actions that tarnish the reputation and erode the authority of the world Organization. The alleged transformation of the terrorist so-called "KLA" is nothing but an attempt to manipulate the international public. Despite the irrefutable evidence about its terrorist nature and genocide that it is still perpetrating against the Serbs and other non-Albanians, attempts are being made to turn the terrorist so-called "KLA" into a legitimate organization and create conditions for its continued existence.

It is well known that the so-called KLA is made up only of a number of groups of thugs and criminals, drug dealers and murderers who seek to turn Kosovo and Metohija into a centre for illegal supply of the world market with narcotics. By their approach, KFOR and UNMIK have been complicit in encouraging Albanian terrorists and extremists to resume unhindered the systematic violence, terrorist acts and massive repression, particularly against Serbs and Montenegrins.

In this regard, the Government of the FR of Yugoslavia recalls the position stated in its letter to the President of the Security Council (No. 858/99) of 22 September 1999 in which it pointed out that the failure to demilitarize the so-called KLA and the forming of the Kosovo Protection Corps was a farce and a manipulation.

4) Massive massacres of Serbs: The hideous massacre of 14 Serbian farmers, women and children at the village of Staro Gracko, municipality of Lipljan, on 23 July 1999 whom Albanian terrorists maltreated and killed in the immediate vicinity of the place where one of the KFOR contingents was deployed, is one of the most monstrous crimes that happened in the presence of KFOR and UNMIK.

The Government of the FR of Yugoslavia informed the Security Council in detail on this event in its Memorandum (S/1999/ 828, Annex, of 27 July 1999). With regard to this heinous act, the Yugoslav Government requested from the United Nations to take all the measures necessary to punish the perpetrators of this, as well as of all other crimes, and to effectively prevent them from engaging in criminal activities, which implies primarily their efficient and full disarmament and demilitarization, including the disbanding of their command structure.

- Massacre at the village of Ugljare: On 25 August 1999 KFOR officially reported on this abominable crime. 15 bodies of killed Serbs were discovered in a mass grave, among which were identified the bodies of Dragan Tomic and two members of the Zdravkovic family, abducted by the terrorists of the so-called KLA. The mass grave was discovered in the U.S. sector of responsibility, and the general public was informed thereof more than a month later.

The Yugoslav Government lodged the strongest protest to the President of the Security Council and the Secretary-General (S/1999/914) 26 August 1999, particularly because of the fact that KFOR hid the massacre from the public, protecting thus the criminals.

- The attack on the market place at Bresje: On 28 September 1999 the terrorists of the so-called "KLA" carried out an attack using grenades on the market place at Bresje near Kosovo Polje at the time when it was overcrowded. On that occasion, two Serbs were killed, 42 were wounded, including 7 who sustained serious injuries.

The Government of the FR of Yugoslavia lodged the strongest protest to the President of the Security Council (S/1999/1018) of 1 October 1999, as well as to KFOR and UNMIK, demanding resolute measures against the perpetrators of this crime designed to intimidate the remaining Serbs and make them leave the Province.

- The attack on the convoy of Serbs from Orahovac: On 27 October 1999 the Albanians carried out an attack on a convoy of a total of 162 Serbs in 5 buses and 21 cars despite the fact that the convoy had been organized by UNHCR and that they had been informed beforehand that the vehicles transported the sick who could not be given appropriate and urgent medical attention in blockaded Orahovac. 18 Serbs were injured in the attack.

- The massacre in the village of Drenovac: The members of Albanian terrorists massacred last August about 50 Serbs and Montenegrins in the area of the village of Drenovac and did not allow their burial.

5) The blockade of Orahovac- the first ghetto after 1945: The three-month blockade of 4,500 Serbs, Montenegrins and Roma is the first ghetto in Europe after World War Two in the creation and maintenance of which take joint part the terrorists of the so-called "KLA" and the international forces under the auspices of the United Nations. Such behavior by KFOR and UNMIK in Kosovo and Metohija is the heaviest blow to the reputation and authority of the United Nations.

- The besieged Serbs are denied the freedom of movement, entry and exit. It is very difficult to supply food and provide other relief aid, as well as the necessary health protection to the sick, children and the elderly. Because of these inhumane conditions, as well as the fact that the Albanians have refused to supply the Serbs with electric power and water, communicable diseases have been registered, while the symptoms of rickets and avitaminosis have occurred among the youngest due to inadequate nutrition.

- In the part of Orahovac where Serbs are blockaded there is no outpatient clinic, while KFOR arrested the last Serbian doctor, Vekoslav Simic. Serbian children (372 elementary school students) are prevented from attending school.

- Since the arrival of KFOR and UNMIK 14 Serbs from Orahovac have been killed and 2 persons have died of grief.

- The blockade of Orahovac is a drastic example of the policy of double standards pursued by KFOR and UNMIK in the Province. While they assiduously remove roadblocks which the Serbs put up around their settlements exclusively for the sake of their personal safety, KFOR and UNMIK have not done anything in the last 3 months to lift the blockade of Orahovac.

- On the basis of anonimous and arbitrary reports by Albanian terrorists from the ranks of the so-called "KLA", KFOR and UNMIK have arrested 11 Serbs from Orahovac who are accused for alleged war crimes. Among the arrested are 6 most prominent personalities from Orahovac – Mayor Andjelko Kolašinac, Dr. Vekoslav Simic, Stanislav Levic, Ceda Jovanovic, Danilo Misic and Radosav Misic.

Nenad Matic, Miodrag Djinovic, Novica Krstic, Arsenije Vitasovic and Dejan Micic have also been arrested. These arbitrary arrests are designed to intimidate the remaining Serbian population in Orahovac and make them abandon their homes whereby KFOR and UNMIK directly take part in ethnic cleansing.

6) Investigation of crimes; pathological identification of victims: KFOR and UNMIK are obligated to conduct a detailed and objective investigation into all crimes, regardless of who they were perpetrated by. This applies in particular to the mass crimes of genocidal nature motivated by ethnic hatred. In this context, particularly important is KFOR's and UNMIK's task to ensure, by efficient operations, the arrest and punishment of the perpetrators of all, and in particular, mass crimes (massacres at Staro Gracko, Ugljare, the market place at Bresje near Pristina, the village of Drenovac, in Prizren, etc.).

The results of KFOR's and UNMIK's activities on this plane to date have been disastrous – apart from punishment for ordinary criminal offenses, not a single terrorist, criminal, has been convicted for the grave crimes committed against Serbs or the members of other non-Albanian ethnic communities.

The Government of the FR of Yugoslavia reiterates its earlier request that, in accordance with Security Council resolution 1244, the competent federal and republic authorities regularly participate in investigations, as well as in the process of establishing the identity of all the persons who have killed in Kosovo and Metohija.

7) Ethnic cleansing: Due to the systematic campaign of maltreatment, killings, abductions, rape, looting of property, mass burning of Serbian villages and cultural-historical monuments and religious shrines and other means of intimidation, over 330,000 non-Albanians, including more than 250,000 Serbs, have been expelled from Kosovo and Metohija since the deployment of KFOR and UNMIK.

- Prizren, Djakovica, Pec, Srbica, Podujevo, Vucitrn, Glogovac, as well as the villages of the municipality of Istok, Dzakovo, Osojane, Tucepom, Kos, Zac, Belica, Krnjine, Maticane, Kacanik, Stimlje, Kmetova Vrbica, the area of Urosevac, Slivovo, Nedakovac, Nevoljane, Vrpica, Ljestar, Zegra, Zitnje have been completely ethnically cleansed;

- Out of 35,000 Serbs who lived in Pristina prior to the arrival of KFOR and UNMIK, only less than 500 remain;

- It has been established that 447 persons have been killed (22 of them were slaughtered, 84 massacred, 5 burned), 216 wonded; 648 persons have been registered as kidnapped or missing, most of them Serbs; arbitrarily, following anonimous reports by Albanian, KFOR arrested 35 Serbs and 3 Albanians;

- Over 50,000 houses have been registered as burned in the territory of the Province, 12 000 cars have been stolen, more than 70 medieval Serbian monasteries and cultural monuments of exceptional historic value have been destroyed or burned;

- The blockades of the following villages have been registered: Gadnje, Orahovac, Velika Hoca, Koretin, the villages in the vicinity of Gnjilane, Priluzje, Gornja Srbica (1).

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(1) See appendix - Overview of terrorist and other acts of violence.

IV POLICY OF DOUBLE STANDARDS AND FAIT ACCOMPLI

1. Usurpation: UNMIK and KFOR do not take measures as required by Security Council resolution 1244 (1999) to prevent lawlessness and maintain public order and peace. Indirectly, and often even directly, individual members and segments of KFOR and UNMIK offer support to such conduct by Albanian terrorists and extremists.

According to available information, a UN civil police, John A. Henderson, and his fellow policemen, toured Serbian flats in Pristina, encouraging their owners to leave. In doing so, he gave them the name and address of Smaili Ekrem, an Albanian lawyer, to provide them "legal aid".

Construction of a US military base near Urosevac, without the authorization of the competent authorities of the FR of Yugoslavia, is the most serious form of usurpation of public land and the provisions of Security Council resolution 1244 (1999) concerning the sovereignty and territorial integrity of the FR of Yugoslavia.

All illegal changes of ownership, usurpation of private or public property in Kosovo and Metohija represent a gross violation of the provisions and the substance of Security Council resolution 1244 (1999) and can have no legal effect.

The Government of the FR of Yugoslavia demands that all illegally possessed private and public property, as well as public facilities (State, socially-owned and public institutions, facilities of the Electric Power Capacities of Serbia, PTT, mines (Trepca) in which foreign capital has been invested, as well as many factories, commercial businesses, petrol stations, etc.) be restored to their previous state without delay (restitutio in integrum). In particular, it insists that Regulation No. 1999/10 of 13 October 1999, encouraging further departure of Serbs and other non-Albanians from Kosovo and Metohija, be declared legally null and void .

2. Discrimination: KFOR and UNMIK encourage and countenance discrimination against Serbs in employment. Most often the ratio of 9 to 1 in favour of Albanian employees is applied, thus arbitrarily determining the demographic structure of Kosovo and Metohija, artificially increasing the number of Albanians and deliberately reducing the numbers of Serbs and other non-Albanians and grossly violating the democratic principle of equality of all citizens irrespective of their nationality or ethnicity or religion. This is particularly true of management positions whereby the Serbs and other non-Albanians are prevented from being re-instated to positions forcibly usurped by the Albanians. As a result, the livelihoods of great many Serbs and Montenegrins (20,000 in Pristina alone) working in public institutions have been directly threatened whereby they are forced to leave.

3. A multi-ethnic, multi-religious and multi-cultural character of the Province: The Government of the FR of Yugoslavia seeks guarantees of a safe and free return for all expelled Serbs, Montenegrins, Roma, Muslims, Turks, Gorani, Croats and Egyptians, as well as full observance of the sacrosanct rights to private property, employment, health protection and, above all, the right to life as provided to Albanian refugees. It insists that

KFOR and UNMIK ensure the functioning of all public services, the unified electric power system, PTT, health services, the judiciary, etc. within the relevant systems of the Republic of Serbia and the FR of Yugoslavia, ensure a safe return of all employees expelled by force from the positions, create normal conditions for their work, including their protection on their way to and from work.

4. The alleged transformation of the terrorist so called "KLA" is a drastic example of double standards and the policy of fait accompli, aimed at violating in a most flagrant way Security Council resolution 1244 (1999), the Ahtisaari/Chernomyrdin document and the Military-Technical Agreement. The Agreement on that between the representatives of the United Nations and the terrorist leader was concluded without consultation and approval and prior notification and represents a blow to the reputation and role of the Security Council and the encouragement of separatism and terrorism with unforeseeable consequences.

The Yugoslav Government recalls its request to the Security Council of 22 September 1999 to have that so-called Agreement cancelled.

5. An obvious example of the policy of double standards is also the forcible dismantling of Serbian roadblocks set up exclusively to protect Serbian houses and settlements, as KFOR and UNMIK fail to do so notwithstanding their obligations. At the same time, they continue to tolerate the Albanian siege of Orahovac, lasting for several months now, without any indications that something with be done in that direction soon even though it is directly related to the prevention of the regular deployment of KFOR troops. Although Security Council resolution 1244 (1999) guarantees free movement of peace-keepers and the violation of this provision implies possible use of force, KFOR and UNMIK have done nothing to lift the siege of Orahovac.

V. DESTRUCTION OF THE UNIFIED CONSTITUTIONAL AND LEGAL SYSTEM OF THE FR OF YUGOSLAVIA

1.The economic system: A passive attitude of UNMIK with regard to further maintenance of the tight regime of economic restrictions imposed on the FR of Yugoslavia (Republic of Serbia) while allowing the establishment of a closed system of reconstruction and economic recovery for Kosovo and Metohija, separated from the Republic of Serbia and the FR of Yugoslavia, is in flagrant violation of the unified constitutional, legal, economic, financial, monetary, telecommunication, information, transport and other systems in the FR of Yugoslavia and the Republic of Serbia. The stabilization of the overall situation is thus rendered even more difficult. Directly profiting from this situation are Albanian separatists and terrorists alone who, in an atmosphere of security, economic and other confusion, seek to achieve ethnic cleansing of the Serbs and other non-Albanians and to separate the Province from the FR of Yugoslavia and the Republic of Serbia through the policy of fait accompli.

2. Monetary system: Security Council resolution 1244 (1999) does not provide a basis for any solutions leading to the violation of the sovereign rights of the FR of Yugoslavia in the monetary field. The dinar has been and will remain the sole currency valid on all territory of the FR of Yugoslavia, the Province included.

However, by its decisions, UNMIK have committed a series of violations of the sovereignty of the FR of Yugoslavia in the monetary sphere by destroying the unified monetary system and the payments regime of the FR of Yugoslavia wherefore the FR of Yugoslavia protested to the Security Council (letter of 7 September 1999, addressed to the President of the Security Council and to the Secretary-General, S/1999/953). Namely:

(a) By his regulation No. 1999/1 of 25 July 1999, the Special Representative has transferred, without authority, the legislative and executive power on a part of the territory of the Republic of Serbia and the FR of Yugoslavia, i.e. in Kosovo and Metohija, on to UNMIK, including disposal of both movable and immovable property, such as monetary funds, bank accounts or other types of property registered to the name of the FR of Yugoslavia, the Republic of Serbia or any body thereof operating from the territory of Kosovo and Metohija.

Thereby, the Special Representative violates the inviolability of the sacrosanct right of property as one of the basic legal postulates of contemporary civilization. This form of neo-colonial pillage is unprecedented in the practice of peace-keeping operations of the United Nations.

(b) Regulation No. 1999/4 ruptures the unified monetary area of the FR of Yugoslavia.

To apply the solutions mentioned in the above regulations on only one part of the Yugoslav territory is unconstitutional and illegal, considering that Article 13 of the Constitution defines the FR of Yugoslavia as a unified area having a single market.

The Government of the FR of Yugoslavia demands that the Security Council, i.e. the Secretary-General, under whose authority acts the Special Representative, revoke the said regulations as in direct contravention of Security Council resolution 1244 (1999), the Constitution and other laws in force in the FR of Yugoslavia.

3. Media: Contrary to the provision of Security Council resolution 1244 (1999) guaranteeing the territorial integrity of the FR of Yugoslavia, UNMIK has unnaturally cut off and closed the media space of the Province. Due to the policy of double standards, the Serbian population has been deprived of programmes in the mother tongue, the re-introduction of which is very slow and is being done with many strings attached. Accordingly, despite the presence of international forces and often on their orders, the non-Albanian population, primarily Serbs, is denied the right to the free media, whereas the Albanian population is given maximum assistance. Such behaviour is a case of drastic ethnic discrimination and, by extension, a violation of basic human rights and fundamental freedoms.

UNMIK and the OSCE are under the obligation to render all necessary assistance to the competent authorities of the Republic of Serbia in improving the current situation with no ultimatums and diktat, which is the basis of establishing an open and democratic media space and an incentive for the development of a democratic civil society.

VI CONCLUSIONS

It is evident that the alarming development of the security and overall situation in Kosovo and Metohija since KFOR and UNMIK deployment, characterized by mass terror against the Serbian and other non-Albanian population which resulted in the killing of 447 Serbs and other non-Albanians, abduction of 648 and the expulsion of over 330 000 of Serbs, Montenegrins, Muslim, Roma, Turks, Gorani, Croats and Egyptian and other non-Albanians, i.e. a massive ethnic cleansing has been brought about directly by an irresponsible and highly indolent attitude of KFOR and UNMIK, in particular the Special Representative towards their responsibilities under Security Council resolution 1244 (1999).

Proceeding from the fact that it has fulfilled all its obligations stemming from resolution 1244 (1999) and the related documents in full and timely, the Government of the FR of Yugoslavia demands that all other factors as well, primarily UNMIK and KFOR, strictly abide by their obligations in full and without delay. That is the key precondition for meeting the main objectives and tasks of the international presence in Kosovo and Metohija, as clearly set out in resolution 1244 (1999). In this respect and taking into account the territorial integrity of the FR of Yugoslavia, special attention is devoted to ensuring a safe environment for all the population of Kosovo and Metohija, to creating conditions for a safe and unimpeded return of all displaced persons and refugees, to preserving the multi-ethnic, multi-religious and multi-cultural character of the Province and to creating the conditions for a political process aimed at the establishment of autonomy which would guarantee full equality to citizens and all ethnic communities and groups.

Accordingly, the Government of the FR of Yugoslavia will not recognize the decisions of KFOR and UNMIK that are not in accordance with Security Council resolution 1244 (1999) or represent an attempt to diminish, i.e. to threaten he sovereignty and territorial integrity of the country and of the principle of full equality for all citizens in Kosovo and Metohija nor will they have any legal effect for it.

The FR of Yugoslavia, as a sovereign Member State of the United Nations, which has voluntarily accepted an international force under UN auspices on its territory, insists that the Security Council ensures full respect for its sovereignty and territorial integrity, in accordance with the Charter of the United Nations and Security Council resolution 1244 (1999) and the related documents.

The requests it has made in this regard to the Security Council and the Secretary-General, as well as to KFOR and UNMIK, are legitimate, legal and just. The

Government of the FR of Yugoslavia expects that the Security Council will finally take measures to which it is obligated under Security Council resolution 1244 (1999) and the position of the most responsible organ for peace and security and that it will secure a consistent implementation of the mandate of UNMIK and KFOR.

The Yugoslav Government insists that all regulations and other decisions in violation of the territorial integrity and sovereignty of the FR of Yugoslavia be immediately revoked and that all illegally taken State, public, socially-owned and private property be returned to legitimate owners.

One of the most pressing issues is also the enabling of the return of members of the Yugoslav Army and the Serbian Ministry of the Interior to Kosovo and Metohija, in accordance with op. paragraph 4 of Security Council resolution 1244 (1999), items 6 and 10 of Annex II of the resolution and paragraph 4 of the Military Technical Agreement. The Government of the FR of Yugoslavia demands once again that the Security Council ensure without delay the fulfilment of this obligation in the interest of calming the security situation in the Province and preventing the mass exodus of the remaining Serbian non-Albanian populations from the Province.

The Government of the FR of Yugoslavia also demands:

- that the regulation on "the transformation" of so-called "KLA" be cancelled and that it be proceeded to the full and unconditional disarmament of the "KLA", as well as the disbandment of its structures and that its leaders responsible for mass crimes and the systematic ethnic cleansing of Serbs and other non-Albanians, such as Hashim Thaci and Agim Cheku and others, be brought to justice.

- that all foreign nationals who entered the territory of the FR of Yugoslavia illegally be expelled;

- that free and safe return of all Serbs, Motenegrins, Muslim, Roma, Gorani, Turks, Croats and Egyptians and all other citizens expelled during the canpaign of ethnic cleansing following the arrival of UNMIK and KFOR in the Province be guaranteed;

- that free and unimpeded access of all humanitarian convoy be ensured;

- that a comprehensive Agreement between the FR of Yugoslavia and the United Nations be signed as soon as possible on the regulation of the status of the international presences under the auspices of the United Nations in Kosovo and Metohija and of other relevant issues;

- that the Security Council establish without delay a Committee on monitoring and supervising the implementation of Security Council resolution 1244 (1999) and the relevant documents.

The Yugoslav Government recalls that it has addressed a request to the Secretary-General that a delegation of the Security Council visit Kosovo and Metohija and acquaint itself directly with the real situation.

Belgrade, 3 November 1999

Appendix

OVERVIEW

of terrorist and other acts of violence
in the Province of Kosovo and Metohija from 12 June to 30 October 1999, according to available and accessible information provided by
the Centre for Peace and Tolerance in Pristina

1. Number of kidnapped and missing persons in Kosovo and Metohija: 648

2. Number of persons killed in Kosovo and Metohija: 447
(of whom 22 were found with their throats slit, 84 massacred and 5 incinerated)

3. Number of arbitrarily arrested persons by KFOR: 38

4. Number of wounded persons in Kosovo and Metohija: 216

5. Reported cases of physical assaults, harassment of persons and infliction of heavy injuries: 321

6. Registered cases of threatening: 340

7. Registered number of dwellings broken into, looted and forcibly taken occupancy of: 757 in Pristina, over 200 in Kosovska Mitrovica, 153 in Gnjilane, 124 in Orahovac

8. Ethnic cleansing: - A series of towns have been ethnically cleansed of Serbs. According to available UNHCR data from September 1999, around 220,000 mostly Serbs and Montenegrins have been expelled from Kosovo and Metohija. According to most recent information, over 330,000 non-Albanians, 250,000 of them Serbs, have been expelled from Kosovo and Metohija.

9. Registered number of homes burned down: in the entire territory of Kosovo and Metohija, around 50,000 houses have been burned down.

10. Registered number of stolen vehicles: over 12,000

11. Destruction of church property and cultural monuments:
About 70 churches, monasteries and other religious buildings and cultural monuments have been burned down or damaged, including the Church of Notre Dame at Dolac, Monastery of St. Mark at Korisa from 1467, Monastery of St. Kozma and Damjan at Zociste from the XIV century, Church at Kijevo from the XIV century, Monastery of Holy Trinity from the XIV century near Musutiste, Monastery of Devic built in 1440, Church of St. Paraskeva at Drenik from the XVI century,

Church of St. Demetrius near Pec, Orthodox Churches at Grmovo near Vitina, at Zegra near Gnjilane, the Church of Notre Dame at Musutiste from 1315, Church of St. Elias at Bistrazin, Charch of Holy Apostles Peter and Paul at Suva Reka, Monastery of St. Uros at Nerodimlje, Monastery of Holy Archangel Gabriel at Binac from the XIV century, Church of Holy Mary from the XIV century at Belo Polje, Church of St. John the Baptist at Pecka Banja, Churches at Naklo, Vucitrn, Petrovac, Urosevac, Podgorce, Djurakovac, Krusevo, Osojane, Samodreza, Dresni near Klina, Rekovac, Petric, Monastery Dinac near Vitina, the Cathedral Church of Holy Trinity in Djakovica.

Religious shrines are being attacked, vandalized, demolished and burned. The clergy is being expelled. As all these churches and monasteries were being destroyed, they were also looted.

Many cultural monuments, including the statues of the stalwarts of Serbian and Montenegrin literatures Vuk Karadzic and Petar Petrovic Njegos in downtown Pristina, have been demolished.

12. Forcible and illegal taking over of public institutions: Pristina, Prizren, Dragas, Podujevo, Lipljan, Strpci, Kosovska Mitrovica, Kosovo Polje (with the assistance of KFOR), and Djakovica (with the assistance of KFOR)

- The forcible and illegal take-over of public companies and institutions have left over 20,000 Serbs and Montenegrins employed in them without jobs, who were exclusively replaced by Albanians, mostly unqualified for the same jobs.

13. Registered armed attacks on villages: Slovinj, Maticane, Orahovac, Konjuh, Berivojce, Gornja Brnjica, villages around Kosovska Kamenica, Grncar, Magila, Ajvalija, all villages in the Istok-Klina area, Gorazdevac near Pec, Svinjare, Klokot, Novo Brdo, Zjum, Donja and Gornja Gusterica, Susica, Badavac, Bresje, Vrbovac, Vitina, Cernice (the municipality of Gnjilane), Dobrusa, Veliko Ropotovo (the municipality of Kosovska Kamenica), Partes (the municipality of Gnjilane), Pasjane (the municipality of Gnjilane), Ljestar, Budriga, Dobrotin (the municipality of Lipljan), Grncar, Binac, Ranilug, Silovo, Odovce, Rajanovce, Bosce, Caglavica.

14. Registered blockades of villages: Gadnje, Orahovac and Velika Hoca (residents live like in a "ghetto") Koretin, villages around Gnjilane, Priluzje, Gornja Srbica.

15. Armed threats against villages and daily terror against non-Albanians: Ugljare, Srpski Babus, Stimlje, Novo Selo, Bresje, the area of Kosovo Polje, Milosevo (against which an armed attack was carried out), the village of Zebnice (dramatic humanitarian situation), Letinice (the village in which exclusively Croats - Catholics live), Drenovac (the massacre of 50 Serbs), the village of Cernice (a series of incidents in which members of the American KFOR contingent harassed Serbs)

16. Looted Serbian villages from which the residents have been forced out: Muzicani, Slivovo, Orlovic, Dragas, the Kosovo Polje area, Sofalija, Livadice, Mirovac, Sirinicka Zupa, Medregovac, Grace, Zociste, Sofalije, Dragoljevac.

17. Serbian settlements set on fire: Istok, Klina, Donja Lapastica, Obrandza, Velika Reka, Perane, Lause, villages around Podujevo, Grace, Donja Dubica, Zeciste, Orahovac, Nakio, Vitomirice, Belo Polje, Kojlovice, Alos-Toplicane, Krajiste, Rudnik, Donji Strmac, Goles (the municipality of Lipljan), Orlovic (the municipality of Pristina), Krpimej and Lausa (the municipality of Podujevo), Muzicane (all Serbian houses have been burned down), Zaimovo, Denovac, Lesjane.

18. Towns and settlements ethnically cleansed of Serbs and other non-Albanians: Prizren, Djakovica, Pec, Srbica, Podujevo, Vucitrn, Glogovac, as well as villages of the municipality of Istok: Dzakovo, Osojane, Tucepom, Kos, Zac, Belica, Krnjine, Maticane, Kacanik, Stimlje, Kmetovacka Vrbica, the area of Urosevac, Slivovo, Nedakovac, Nevoljane, Vrpica, Ljestar, Zegra (the municipality of Gnjilane), Zitnje (the municipality of Vitina).

- The ethnic cleansing is being finalized in Pristina, Gnjilane, Urosevac, Kosovska Mitrovica, Lipljan and Kosovo Polje from which 80% of Serbs have been driven out (homes have been burned down and looted, property is being confiscated from business and shop owners), as well as in the villages of Toplicane, Rujice, Magure, Slovinj, Staro Gracko.

19. Registered number of illegal entries by foreigners into the FRY territory (Kosovo and Metohija), without appropriate documents (visa and reported stay to the competent authorities): 316

20. Registered number of criminal acts of illicit trade and possession of goods without appropriate documents: 81

21. Registered number of cases of the violation of the Ground Safety Zone by KFOR: 97

Almost all non-Albanians have been expelled from Pristina suburbs of Ulpijana, Suncani Breg, Dardanija and Univerzitetsko naselje. The remaining non-Albanian residents are being terrorized and pressured into leaving Kosovo and Metohija on a daily basis. Violence against non-Albanians is being carried out daily, homes are being stoned and attacked with hand grenades, and shops, companies and public buildings are being looted.

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STRENGTHENING OF THE COORDINATION OF HUMANITARIAN AND DISASTER RELIEF ASSISTANCE OF THE UNITED NATIONS, INCLUDING SPECIAL ECONOMIC ASSISTANCE: SPECIAL ECONOMIC ASSISTANCE TO INDIVIDUAL COUNTRIES OR REGIONS
HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

SECURITY COUNCIL
Fifty-fourth year

Letter dated 2 November 1999 from the Permanent Representative of Finland to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement by the Presidency of the European Union on behalf of the European Union on the extension of the ceasefire in the Sudan issued on 21 October 1999 (see annex).

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as a document of the General Assembly and of the Security Council.

(Signed) Marjatta RASI
Permanent Representative
of Finland to the
United Nations

99-33000 (E) 041199 051199

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Annex

[Original: English and French]

Statement on the extension of the ceasefire in the Sudan issued on 21 October 1999 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the decision made by the Sudanese Government as well as the Sudan People's Liberation Army to extend the ceasefire in the southern Sudan for a further three months. The European Union considers this an important measure in enhancing and securing the supply of humanitarian aid in the war-affected areas as well as a positive step towards an atmosphere conducive to achieving a lasting peace.

The European Union reiterates its appeal to both parties to proceed to a permanent and comprehensive humanitarian ceasefire and to a prompt resumption of the peace negotiations in Nairobi, as decided in the last round of talks within the Intergovernmental Authority on Development peace process.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus and Malta, and the European Free Trade Association countries members of the European Economic Area align themselves with the present statement.